

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

WEST VIRGINIA HIGHLANDS CONSERVANCY,
APPALACHIAN VOICES, and
SIERRA CLUB,

Plaintiffs,

v.

CIVIL ACTION NO. 3:19-0573

LEXINGTON COAL COMPANY, LLC,

Defendant.

ORDER

Pending before the Court is Defendant Lexington Coal Company's Motion to Purge Contempt, which includes an attached remediation plan. ECF No. 88. Pursuant to Orders on July 18, 2022, ECF No. 80, and August 25, 2022, ECF No. 84, Defendant is required to submit a per diem fine until purged of contempt by submitting a full and complete remediation plan. The Court thereby **STAYS** the accrual of the \$1,500 per diem fine as of **September 6, 2022**, the filing date of Defendant's Motion, until the Court completes its review of the attached remediation plan. Defendant, however, is still required to pay any fines that have accrued before that date, and the Court retains authority to reimpose the sanction should it find the submitted remediation plan insufficient to purge Defendant's contempt.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: September 7, 2022

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE